

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHNNY MCFARLAND, on behalf of  
himself and all others similarly situated

Plaintiff(s),

CASE NO. CV-07-03953 PJH

v.

GUARDSMARK, LLC, and Does 1 through  
50, inclusive,

Defendant(s).

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

✓ Private ADR (please identify process and provider) Mediation: David Rotman, Esq.

The parties agree to hold the ADR session by:

the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

✓ other requested deadline April 7, 2008

Dated: Nov. 1, 2007

Daniel H. Qualls /s/  
Attorney for Plaintiff

Dated: \_\_\_\_\_

Martin D. Bern /s/  
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

✓ Private ADR

Deadline for ADR session

90 days from the date of this order.

✓ other April 7, 2008

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE